

DEFENDANT'S APPENDIX

PART E

Doc

AUG 09 2005

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ORIGINAL

ASHLEY ADAMS	:
716 North Barrett Lane	:
Christiana, DE 19702	:
	:
Plaintiff,	: No. 04-251 JJF
	:
v.	: NON-ARBITRATION CASE
	:
JO ELLEN CHAPEN SHELDON	: JURY TRIAL DEMANDED
708 Pebble Beach Drive	:
Elkton, MD 21921	:
	:
Defendant.	:

Deposition of **ASHLEY ADAMS**, taken pursuant to notice, before CAROL DiSERAFINO, Professional Reporter and Notary Public, duly authorized to administer oaths, on **WEDNESDAY, JULY 6, 2005, at 3:35 p.m.**, held at the offices of Casarino Christman & Shalk, P.A., 800 North King Street, Suite 200, Wilmington, Delaware. There being present:

APPEARANCES:

CHARLES S. COOPER, ESQ.

COOPER & SCHALL, P.A.
1760 Market Street, Ste. 1100
Philadelphia, Pennsylvania 19103
Attorney for Plaintiff

BETH H. CHRISTMAN, ESQ.

CASARINO CHRISTMAN & SHALK, P.A.
800 North King Street, Ste. 200
Wilmington, Delaware 19899
Attorney for Defendant

A 39

1 A. No.

2 Q. Have you used any other first name
3 besides Ashley?

4 A. No.

5 Q. And how many places would you say you've
6 lived in the past ten years? How many addresses?

7 A. The last ten years?

8 Q. Yes.

9 A. Probably three.

10 Q. And give me those addresses.

11 A. The most current going back?

12 Q. Yes.

13 A. That's 716 North Barrett Lane.

14 Q. Where is that located?

15 A. Newark, Delaware.

16 Q. Is that where you currently reside?

17 A. Right. That's correct.

18 Q. And do you live with anyone there?

19 A. No.

20 Q. And how long have you lived there?

21 A. Three years, approximately.

22 Q. Where did you live before that?

23 A. 186 Independence Drive.

24 Q. In what city?

A 40

1 have you been involved in any other motor vehicle
2 accidents?

3 A. No.

4 Q. And since the April, 2002 motor vehicle
5 accident have you been injured in any other way?

6 A. No.

7 Q. And what injuries do you believe you
8 have as a result of the April, 2002 accident with
9 Ms. Sheldon?

10 A. What injuries do I think I have --

11 Q. Yes.

12 A. -- resulting from that accident?

13 Q. Yes. Correct.

14 A. I have a fracture in my neck, C6-C7.
15 There's also herniated disks within those regions.

16 Q. Are you having any other problems that
17 you think came from the April, 2002 accident?

18 A. That has led to many complications, like
19 the nerve injuries, the pain in my arms.

20 Q. You were previously in an accident in
21 February of 2002; is that correct?

22 A. Yes.

23 Q. Tell me how that accident happened.

24 A. I was pulling into WaWa and a pickup

1 truck was crossing my path coming from the side of the
2 parking lot, struck the front part of my car and
3 damaged the front bumper on it.

4 Q. What car were you driving when that
5 happened?

6 A. That was a Honda Civic.

7 Q. Do you remember how much damage was done
8 to your car?

9 A. Dollar amount? No, I don't.

10 Q. Can you describe it for me?

11 A. If it's the front bumper?

12 Q. Yes.

13 A. The bumper cover I should say. The
14 cover that goes over the bumper.

15 Q. Was the car drivable after the accident?

16 A. Yes.

17 Q. Were you injured as a result of that
18 accident?

19 A. I was treated for some muscle aches and
20 pains.

21 Q. And where did you treat?

22 A. Um, it was a chiropractic office.

23 Q. Do you remember which chiropractor?

24 A. First State.

A 42

1 Q. Had you ever seen First State or anyone
2 with that facility before the February, 2002 accident?

3 A. No.

4 Q. How did you get to that facility for
5 treatment? Who referred you there?

6 A. I don't think anybody referred me there.
7 I think I got them from the phone book.

8 Q. Did you go to the emergency room after
9 the February, 2002 accident?

10 A. No.

11 Q. Was there a police report as a result of
12 that accident?

13 A. No.

14 Q. Why was there no police report?

15 A. Because it was insignificant.

16 Q. And have you made any claim as a result
17 of that accident?

18 A. No.

19 Q. Did you have an attorney representing
20 you because of that accident?

21 A. I spoke with an attorney, but nothing --

22 MR. COOPER: Don't repeat what you said
23 to the attorney.

24 - - -

A 43

1 already finished.

2 Q. And do you remember having any problems
3 with your activity level in the few weeks before the
4 April, 2002 accident?

5 A. I had no problems with any activity.

6 Q. Were you having any health problems
7 before 2002 that affected your ability to engage in
8 your normal activities, say, in the five years before
9 2002?

10 A. Five years before 2002? I was very
11 active. I had no problems.

12 Q. And before April of 2002 had you ever
13 been diagnosed with any psychological or psychiatric
14 problem?

15 A. No.

16 Q. And since then have you been diagnosed
17 with any psychological or psychiatric problems?

18 A. No.

19 Q. And have you ever treated with a
20 psychologist or psychiatrist?

21 A. Not that I recall.

22 Q. Before April of 2002 were you ever
23 convicted of any crime?

24 A. No.

A 44

1 Q. Since April of 2002 have you been
2 convicted of any crime?

3 A. No.

4 Q. Have you ever pled guilty to any crime
5 involving falsehood or dishonesty at any time in your
6 life?

7 A. No.

8 Q. Do you know anybody by the name of Doris
9 Adams?

10 A. Yes.

11 Q. And is she related to you in any way?

12 A. That was one of my names.

13 Q. Explain that to me.

14 A. That's part of my name.

15 Q. Doris is part of your name?

16 A. Uh-huh.

17 Q. Explain to me how Doris is part of your
18 name.

19 A. It's the name I went by.

20 Q. I'd asked you --

21 A. Birth name.

22 Q. You had told me that your name was
23 Ashley Taylor Adams or Ashley Taylor Johnson. Where
24 does the Doris fit in?

A 45

1 A. That was part of my name, my given name.
2 Q. What was your given name then?
3 A. (No response).
4 Q. Tell me, was it Ashley Doris or Doris
5 Ashley?
6 A. Doris Ashley.
7 Q. So your given name was actually Doris
8 Ashley. Was Taylor in there, too?
9 A. (Witness moves head up and down).
10 Q. Yes? I need a yes or a no.
11 A. Oh. Yes.
12 Q. Taylor Johnson. Was that your first
13 name, birth name?
14 A. Johnson is the last name.
15 Q. So Doris Ashley Taylor Johnson was your
16 birth name?
17 A. Yes.
18 Q. And then -- so do you also sometimes go
19 by the name Doris Adams?
20 A. No.
21 Q. Do you know of anybody else who uses the
22 name Doris Adams?
23 A. Wait a minute. Do I currently go by
24 that name?

A 46

1 lefthand turn lane.

2 Q. And do you remember how many cars would
3 have been in front of you as you waited for the light?

4 A. I'm thinking -- my best guess would be
5 probably three, four.

6 Q. And before the accident do you remember
7 ever seeing the Volvo being driven by Miss Sheldon?

8 A. No.

9 Q. What were you doing at the time that the
10 accident happened?

11 A. I was sitting, idling, waiting for the
12 light to turn.

13 Q. And how long would you say you were
14 sitting, waiting for the light to turn?

15 A. At least a minute.

16 Q. And what do you remember happening in
17 the accident?

18 A. I was struck very hard. I felt my body
19 go back against the headrest, then after the striking
20 of the car and after I was finished being thrown about
21 in the car I realized I was hit by another vehicle.
22 The first thing I seen, I looked up into my rearview
23 mirror and I saw this woman behind me and she was
24 talking on her cell phone.

A 47

1 Q. Yes.

2 A. Well, they said they fixed the tag on
3 it, so -- I don't know from that picture. I'm not
4 gonna say that it's gonna be.

5 Q. We also have a set of photographs of a
6 Honda Civic there numbered 17 to 28 and I'm going to
7 hand you these photographs and ask you to look at them
8 and tell me if you can show me where the damage was on
9 your vehicle on those photographs, and if you can find
10 one or two that represents it best, let me know.

11 A. I don't know what that is (indicating).
12 I don't know what that is (indicating).

13 Q. I think some of them are the interior.
14 First I just want you to look at the exterior.

15 MR. COOPER: That's the photographs of
16 the back of the bumper on the inside that the
17 insurance took.

18 THE WITNESS: This here on Item 25.

19 MS. CHRISTMAN: We'll have that marked
20 as Adams Exhibit No. 1.

21 BY MS. CHRISTMAN:

22 Q. Tell me what it is you're pointing to on
23 this photograph.

24 A. Those are indentations as this woman's

1 tag. That's what I was told. That the tag print was
2 indented into the car.

3 Q. Are you talking about where the bolts
4 from her license plate contacted your rear bumper?

5 A. Right. But that doesn't show very well.
6 The whole -- you can tell a tag is there. The bolts
7 are these.

8 Q. Just so that we're clear for the record,
9 this photograph shows what appears to be a bumper with
10 some asphalt down at the bottom of the photograph and
11 then on either side of the photograph sort of in the
12 middle of the page are two round-looking dots. Are
13 those the indentations you're describing?

14 A. Yes. I was told that that was the tag.

15 Q. And can you see where that is located
16 anywhere else on any of the photographs of the rear of
17 your vehicle?

18 A. Also there (indicating).

19 Q. This is Photograph No. 27. Can you
20 point to the area where you see them.

21 A. (Indicating).

22 Q. That would be to the passenger's side
23 rear of the bumper; is that correct?

24 A. Yes.

1 MS. CHRISTMAN: I'll have this marked as
2 Adams No. 2 and we'll take a moment so the Court
3 Reporter can mark them.

4 (Deposition Exhibits Adam Nos. 1 and 2
5 marked for identification).

6 BY MS. CHRISTMAN:

7 Q. Do any of the photographs of the front
8 of your vehicle show the damage from the February,
9 2002 accident? Can you see it on any of those
10 pictures?

11 A. In the February?

12 Q. Yes.

13 A. How is that relevant, February accident?

14 MR. COOPER: You know what, though?
15 She's permitted to ask that question. So she wants to
16 know where the damage as you can see from the best you
17 can do from those photographs, where the damage is
18 from the February accident.

19 BY MS. CHRISTMAN:

20 Q. If it's still there.

21 A. Those things (indicating). In February
22 there's scuffs on the front bumper.

23 MR. COOPER: Is that No. 26?

24 THE WITNESS: 26, 24 and 22.

A 50